

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 13-53846

CITY OF DETROIT, MICHIGAN,

Chapter 9

Debtor.

Judge Thomas J. Tucker

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**ORDER SETTING DEADLINE FOR THE CITY OF DETROIT TO FILE
ANY REPLY BRIEF IN SUPPORT OF ITS MOTION FOR AN ORDER ENFORCING
THE BAR DATE ORDER AND THE PLAN OF ADJUSTMENT INJUNCTION AND
DISCHARGE PROVISIONS AGAINST WALTER HICKS AND SPIRLIN MOORE**

This case is before the Court on the motion entitled "City of Detroit's Motion for the Entry of an Order Enforcing the Bar Date Order and the Plan of Adjustment Injunction and Discharge Provisions against Walter Hicks and Spirlin Moore" (Docket #11680, the "Motion"). Walter Hicks and Spirlin Moore (collectively, the "Respondents") filed a joint response to the Motion (Docket #11699, the "Response"). By separate notice, a hearing on the Motion has been scheduled for January 25, 2017 at 1:30 p.m.

The Motion requests that the Court enter an order requiring the Respondents to dismiss, with prejudice, certain pre-petition claims that are part of a pending state court action filed by the Respondents and others against the City of Detroit. The Court notes that Exhibit 2 to the Response is an email from counsel for the Respondents to the City of Detroit, in which Respondents appear to agree, in substance, to the relief the City of Detroit seeks in the Motion. Given this, it is not apparent to the Court why this Motion has not been settled, and what the remaining dispute is, if any.

L.B.R. 9014-1(f) (E.D. Mich.), which applies to motions in adversary proceedings, and, therefore, to the Motion, states that: "[a] reply brief of not more than seven pages in length, including footnotes and signatures, may be filed and served not less than three Business Days before the hearing on the motion." In order for the Court to be able to review any such reply brief more than 3 business days before the hearing, the Court will vary the usual procedure under L.B.R. 9014-1(f) in the following way.

For these reasons,

IT IS ORDERED that the City of Detroit must file any reply brief in support of the Motion no later than January 12, 2017.

Signed on December 16, 2016

/s/ Thomas J. Tucker

Thomas J. Tucker
United States Bankruptcy Judge